

Date: 1/5/89  
By: Betty Schulman

(over)

cc: **File**

**\*NOTE:**  
IF PHASE II OF THE SNOW EMERGENCY  
PLAN IS IN EFFECT IN BALTIMORE COUNTY  
BY 8:30 a.m. ON THE DATE OF THE  
ABOVE HEARING, SUCH HEARING WILL  
BE POSTPONED AND TENTATIVELY RE-  
SCHEDULED FOR THURSDAY, JANUARY  
12, 1988. PLEASE TELEPHONE DOCKET  
CLERK AT 494-3391 TO CONFIRM DATE.

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

Petitioner Joseph L. Cardinale Received by: James E. Dyer  
 Petitioner's \_\_\_\_\_ Chairman, Zoning Plans  
 Attorney G. Scott Farkish Advisory Committee

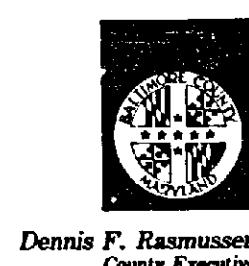
VALIDATION OR SIGNATURE OF CASHIER

cc: Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, MD 21212



Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3354

October 28, 1988



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 105, 106, 108, 109, 110, 111, 113, and 114.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Engineering Associate

HSP/lvw

RECEIVED  
NOV 9 1988  
ZONING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21204-2536  
494-4500

September 28, 1988



Paul H. Reincke  
Chief  
J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: Joseph L. Cardinale

Location: SS Crondall La., 380' E. c/l of Bonita Avenue  
Item No.: 109 Zoning Agenda: September 27, 1988

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

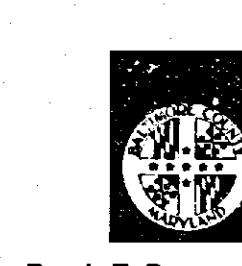
- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*  
Special Inspection Division Fire Prevention Bureau

/s/

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

October 28, 1988



G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
300 Lafayette Building  
40 West Chesapeake Avenue  
Towson, MD 21204

RE: Petition for Zoning Variance  
Petitioner: Joseph L. Cardinale  
3717 Crondall Lane  
Item #109; Case #89-200

Dear Mr. Barhight:

As per your letter of October 19, 1988 to J. Robert Haines, Zoning Commissioner, and our phone conversation today, concerning the above referenced petition that was filed due to a permit application and a conflict with the Baltimore County Zoning Regulations caused by adjacent residential zoned property, you have requested that this office honor the new zoning map changes and agree to a dismissal of the case.

As we discussed, and I informed you, this office cannot act or relinquish a requirement due to a zoning map change until the maps become effective in late December 1988 or early January 1989.

If you have any further questions concerning your request, please contact me in this office.

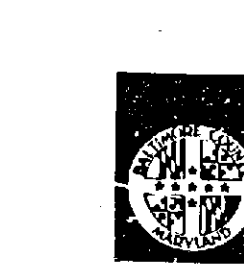
Very truly yours,

*W. Carl Richards, Jr.*  
By: W. Carl Richards, Jr.  
Zoning Coordinator

W.C.R., Jr.:scj

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

August 18, 1988



Mr. David Albanese  
Hancock and Albanese Inc.  
P.O. Box 710 Ridewood, Maryland 21139

RE: Building Permit No. C-1428-88  
3717 Crondall Lane  
4th. Election District  
C.R.G.-IV-291  
Previous permit # C-404-71

Dear Mr. Albanese,

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

- ☒ Improper setbacks
- ☒ Improper use
- ☒ Improper location
- ☒ Inspection of the property must be made
- ☒ Insufficient information on permit
- ☒ REVISED PLANS (9 COPIES) MUST BE SUBMITTED TO COUNCIL IN ROOM 100, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND. ALL PLANS MUST BE ACCOMPANIED BY A COVER LETTER LISTING THE REVISIONS AND REFERENCING THE PERMIT AND CONTROL NUMBER. REVISED PLANS MUST BE SUBMITTED IN PERSON.
- ☒ Compliance with S. 253.4 and 255.2 (Baltimore County Zoning regulations) attached. Fifty foot setbacks and no loading permitted within the 100 ft. RESTRICTED USE AND INCREASED SETBACK RESTRICTION AREA. Variances may be requested at a public hearing. Include the sections and the restricted area on the plans. Amend the 7/16/86 C.R.G. plan-see comments attached and copy of original permit.

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

A.T.G.

cc: Zoning File #  
Planning File  
Joseph L. Cardinale, 74 Gwynns Mill Court, Owings Mills, Md. 21117

*W. Carl Richards, Jr.*  
W. CARL RICHARDS, JR.  
Zoning Coordinator

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: July 16, 1986  
FROM: ZONING OFFICE 1V-291

PROJECT NAME: CARDINALE OFFICE BUILDING PLAN: 05/14/86  
LOCATION: S/S Crondall Lane REV: 7/18/86  
E. of Bonita Avenue  
DISTRICT: 4th Election District

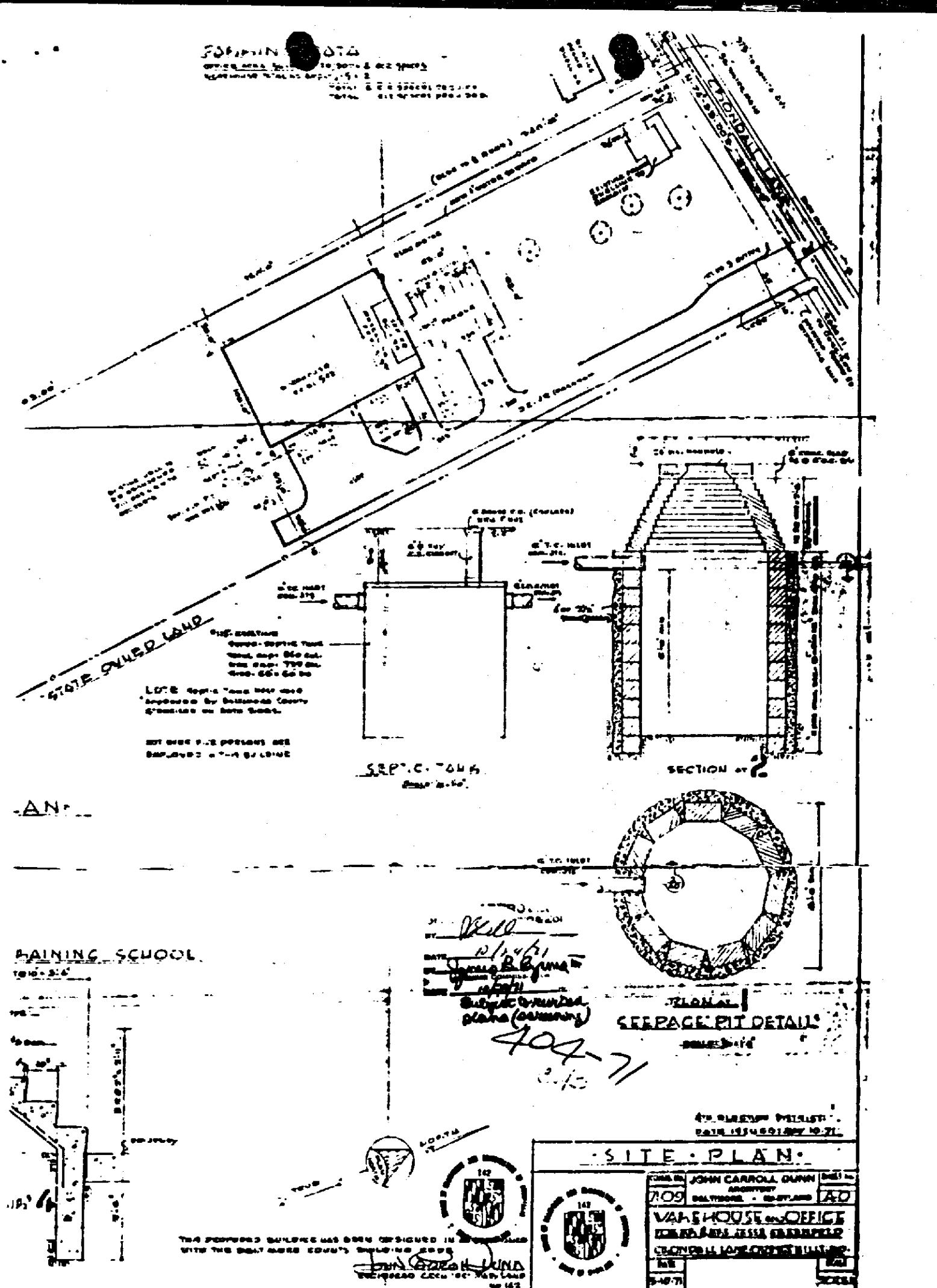
REVISOR: COMPLIANCE WITH COMMENT CHECKED  
NON-COMPLIANCE IS CIRCLED O  
ADDITIONAL COMMENTS ADDED LAST

- 1) Show the 100 foot residential zone restriction line and note that only passenger automobile accessory parking and M.R. zone uses are permitted - Section 253.4 (B.C.Z.R.).
- 2) Correct the F.A.R. to 2.0 permitted.
- 3) Indicate the use of the southern parking lot and the underground storage. Loading or equipment storage would not be permitted within 100 feet of the residential zone.
- 4) Show parking spaces and dimensions, setbacks, driveway and entrance dimensions.
- 5) Show parking plan and data for lot #2 and reference any county approvals.

*W. Carl Richards, Jr.*  
W. CARL RICHARDS, JR.  
Zoning Coordinator

Added after pre-C.R.G. 7/7/86

- 6) When this property is subdivided into two lots as shown, this office will have no objection to the access for the rear lot #2 to be via an easement. If for whatever reason an in fee access would be proposed or required, the building on lot #1 would have to meet all required setbacks to this in fee line, however, if the access is via an easement the setback may be measured from the property boundary (as shown).



3 9 BALTIMORE COUNTY MARYLAND  
OFFICE OF THE BUILDING ENGINEER  
TOWSON, MARYLAND 21204

BUILDING ADDRESS: 3717 CRONDALL LA.  
OWNER'S NAME: JOSEPH L. CARDINALE  
MAILING ADDRESS OF OWNER: 74 GWYNNS MILL CT. OWINGS MILLS MD. 21117  
DATE ISSUED: 103537  
C-1428-88 4 2

DATE: 7/21/88  
PROJECT: HANCOCK & ALBANESE INC. P.O. BOX 710 RIDERWOOD MD. 21139  
BUILDING CONTRACTOR: HANCOCK & ALBANESE INC.  
ENGINEER OR ARCHITECT: N/A  
ESTIMATED COST OF BUILDING: \$18,000.00  
ESTIMATED COST OF MATERIALS & LABOR: \$18,000.00

TYPE OF IMPROVEMENT: RESIDENTIAL  
1. NEW BUILDING CONSTRUCTION  
2. ADDITION  
3. ALTERATION  
4. REPAIR  
5. REMODELING  
6. OTHER

C. TYPE OF USE  
1. SINGLE FAMILY  
2. TWO FAMILY  
3. THREE AND FOUR FAMILY  
4. FIVE OR MORE FAMILY UNITS  
5. SWIMMING POOL  
6. GARAGE  
7. OTHER

VEHICLES WILL NOT BE PARKED INSIDE OF BLDG. OR ALT. TO INCLUDE PARTITIONS FOR NEW OFFICE SPACE, CABINETS, NEW WINDOWS & OVERHEAD DOOR, BLDG. CONST. IN 1988. DATA SHEETS WAIVED RFS 7/21/88.  
OK TO FILE, HOLD FOR SIGNED & SEALED RFS 7/21/88.

24. PROPOSED USE: SAME & ALT. FOR OFFICE SPACE  
EXISTING USE: WAREHOUSE

F. DIMENSION: 5.05 A  
FLOOR AREA: 3,660 SF  
LOT AREA: 5,06 A  
ZONING: NC  
SUBDIVISION: 17-109  
BLOCK: 55  
SECTION: 95  
TOTAL: 07

H. THE GREENFIELD PROP.  
BLOCK: 55  
SECTION: 95  
TOTAL: 07

PLANNING

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON  
SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
301 347-8700  
TELEX: 510101334  
FAX: 301 752-2091

August 30, 1988

J. Robert Haines, Esquire  
Zoning Commissioner  
Baltimore County  
Office of Planning and Zoning  
Towson, MD 21204

Re: Building Permit No. C-1428-88  
3717 Crondall Lane  
4th Election District  
C.R.G.-IV-291  
Previous Permit No. C-404-71

Dear Mr. Haines:

Please be advised that this office represents Joseph L. Cardinale & Sons ("Cardinale") who is the owner of an office and warehouse building located at 3717 Crondall Lane. My client purchased the property with the existing improvements approximately 18 months ago. The property is zoned ML-1M and the building has been in existence approximately 17 years. Attached is a copy of the CRG plan which was approved on July 16, 1986, for your review.

Cardinale has entered into a lease with Hancock & Albanese, Inc. for a portion of the existing office building. Pursuant to this lease, Hancock & Albanese filed Building Permit No. C-1428-88 in order to obtain permission for the construction of the alterations to the interior leased premises. By letter dated August 18, 1988 to Mr. David Albanese, Mr. W. Carl Richards, Jr., Zoning Coordinator, indicated that the Zoning Office could not approve the building permit because of the building's failure to comply with Zoning Regulations Sections 253.4 and 255.2. If the subject parcel is within 100 feet of any residential zone boundary, Section 253.4 prohibits truck loading and Section 255.2 requires a 50 foot setback from the property line.

When Cardinale purchased the building, they were not aware of any zoning problems with this site or the improvements. They entered into the lease with Hancock & Albanese in good faith with



J. Robert Haines, Esquire  
August 30, 1988  
Page 2

the full expectation that the tenant would be able to alter the premises and operate its business. Due to actions beyond the control of Cardinale, a tremendous hardship is being forced upon the tenant. If the tenant is not able to proceed expeditiously in altering the premises, its business could be substantially harmed.

Cardinale intends to take whatever legal steps necessary to bring the property into compliance with the Zoning Regulations as soon as possible. To that end, my client's civil engineer is currently working on the plans necessary to be filed with a Petition for Variance from Sections 253.4 and 255.2. After reviewing the facts of this case, I believe that an undue hardship will be placed upon not only my client but all tenants of the building if the variance is not granted. As the only alternative to a variance would be the destruction of the building, a practical difficulty also is strongly suggested.

It is important to note that the DR zoning to the east of the property is the Rosewood State Hospital site. Rosewood is wooded in this section and is not used for any residential purposes. Moreover, the Rosewood property is the subject of Issue 3-312 in the current comprehensive rezoning process. Issue 3-312, which was filed by the Office of Planning and Zoning staff and the Economic Development Commission on behalf of the State of Maryland, requests that those portions of the Rosewood property south of Crondall Lane between my client's property and Garrison Forest Road be rezoned ML-IM. With the exception of a portion of the Rosewood property fronting on Garrison Forest Road, the Planning Board has recommended that the vast majority of the Rosewood property be rezoned ML-IM. If the County Council agrees with the recommendations of the Planning Board, the Planning Staff, the Economic Development Commission and the State of Maryland, all of those portions of the Rosewood property adjacent to the Cardinale tract will be rezoned ML-IM.

If the Rosewood property is rezoned as described above, then the Cardinale parcel will not be in violation of Section 253.4 and will meet the 30 foot setback requirements of Section 255.1.

The burden to correct the zoning problems associated with this site should fall only upon the landlord. Unless the building is ordered to be razed by the Zoning Office, these problems should have no impact whatsoever upon the current or prospective tenants of the building.

I can assure you that my client will act diligently to file the necessary variance petition to attempt to cure the zoning problems. In all probability, the County Council will amend the

J. Robert Haines, Esquire  
August 30, 1988  
Page 3

zoning in October prior to any hearing on the Petition for Variances. In that event, the petition would be rendered moot and could be withdrawn.

On behalf of my client, I respectfully request that you review this matter as soon as practical. I will be in contact with your office later this week to offer my assistance. I have had an opportunity to discuss this matter with Mr. Richards and to inform him of the nature of our request.

Thank you for your kind attention to this matter.

Sincerely,

*G. Scott Barhight*  
G. Scott Barhight

GSB:sb  
cc: Mr. W. Carl Richards, Jr.  
Mr. Joseph L. Cardinale  
Mr. David Albanese  
Mr. Samuel B. Shockley  
J. Norris Byrnes, Esquire  
Priscilla C. Caskey, Esquire

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 301-547-4736

WRITER'S DIRECT NUMBER IS  
832-2050

300 LAFAYETTE BUILDING  
40 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
301 825-5512  
FAX: 301 296-2885

SUITE 400  
800 17TH STREET, N.W.  
WASHINGTON, D.C. 20004  
TELEPHONE 202-451-0006

October 19, 1988

RECEIVED  
OCT 29 1988  
ZONING OFFICE

J. Robert Haines, Esquire  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County  
County Office Building  
Towson, Maryland 21204

Re: Petition for Zoning Variance  
Petitioner: Joseph L. Cardinale  
3717 Crondall Lane  
Item No. 109

Dear Mr. Haines:

On September 14, 1988, a Petition for Zoning Variance from Section 255.2(243) to permit a side yard setback of 31 feet in lieu of the required 50 feet and from Section 253.4 to permit loading within 5 feet of a residential zone in lieu of the required 100 feet was filed. Attached is a copy of my August 30 letter to you which explains how Mr. Cardinale came to file the Petition for Zoning Variance.

As I mentioned in that letter, the zoning variance was required because the property was contiguous to D.R. zoning (the Rosewood State Hospital site). Now that those portions of the Rosewood site which abut the Cardinale property have been rezoned by the County Council to ML-IM (Issue 3-312) my client's property will be in compliance with the zoning regulations as soon as the County Executive signs the comprehensive rezoning bills. The existing 31 foot side yard meets the 30 foot side yard requirement of Section 255.1(238.2). Additionally, as the property will no longer be within 100 feet of a residential zone, the requirements of 253.4 are not applicable.

J. Robert Haines, Esquire  
October 19, 1988  
Page 2

If your office is in agreement with this assessment, the property will be in compliance with the zoning regulations and the petitions should be withdrawn. Please review this matter and respond at your earliest convenience. Thank you for your continued cooperation in finding a flexible and equitable resolution to this problem.

Sincerely,

*G. Scott Barhight*  
G. Scott Barhight

GSB:sb  
Enclosure  
cc: Mr. W. Carl Richards, Jr. (w/encl.)  
Mr. Joseph L. Cardinale  
Mr. Samuel B. Shockley  
J. Norris Byrnes, Esquire  
Priscilla C. Caskey, Esquire

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 301-547-4736

WRITER'S DIRECT NUMBER IS  
832-2050

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TOWSON, MARYLAND 21204  
301 825-5512  
FAX: 301 296-2885

SUITE 400  
800 17TH STREET, N.W.  
WASHINGTON, D.C. 20004  
TELEPHONE 202-451-0006

October 26, 1988

Ms. Gwen Stephens  
Docket Clerk  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Re: Petition for Zoning Variance  
Petitioner: Joseph L. Cardinale  
3717 Crondall Lane  
Item No. 109  
Case No. 89-200-A

Dear Ms. Stephens:

By Notice of Hearing dated October 17, 1988, the above case has been scheduled for hearing on December 2, 1988 at 9:00 a.m. As this Petition will probably be rendered moot by the adoption of the 1988 Comprehensive Zoning Maps, I respectfully request that the hearing date be postponed.

I have discussed this matter with Mr. Carl Richards by telephone on October 26, 1988. Mr. Richards agrees that a postponement of the hearing date would be an effective way to address this issue.

The adoption of the new zoning maps will probably occur sometime in December. As soon as the maps are effective, I will contact your office to confirm whether the petition is moot. If in fact the petition is moot, it will be withdrawn by the petitioner. If it is not moot, we will need to reschedule the hearing and proceed.

RECEIVED  
OCT 27 1988  
ZONING OFFICE

Ms. Gwen Stephens  
October 26, 1988  
Page 2

Should you have any questions regarding this matter, please feel free to contact me. Thank you for your kind attention to this matter.

Sincerely,

*G. Scott Barhight*  
G. Scott Barhight

GSB:sb  
cc: J. Robert Haines, Esquire  
Mr. W. Carl Richards, Jr.  
Mr. Joseph L. Cardinale  
Mr. Samuel B. Shockley  
J. Norris Byrnes, Esquire  
Priscilla C. Caskey, Esquire

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 301-547-4736

WRITER'S DIRECT NUMBER IS  
832-2050

300 LAFAYETTE BUILDING  
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TOWSON, MARYLAND 21204  
301 825-5512  
FAX: 301 296-2885

SUITE 400  
800 17TH STREET, N.W.  
WASHINGTON, D.C. 20004  
TELEPHONE 202-451-0006

November 29, 1988

Ms. Gwen Stephens  
Docket Clerk  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Re: Petition for Zoning Variance  
Petitioner: Joseph L. Cardinale  
3717 Crondall Lane  
Item No. 109  
Case No. 89-200-A  
Confirmation of Postponement

Dear Ms. Stephens:

This letter will confirm our telephone conversations of November 29 and November 9, 1988. During each of these conversations you confirmed that the hearing in the above matter, previously scheduled for Friday, December 2, 1988 at 9:00 a.m. has been postponed. I am writing this confirmatory letter since I did not receive a Notice of Postponement from your office confirming our November 9 conversation.

In late December 1988 or early January 1989, after the zoning maps become effective, I will dismiss the Petition on the basis that it is moot.

Should you have any questions or comments, please feel free to contact me.

Sincerely,

*G. Scott Barhight*  
G. Scott Barhight

GSB:sb  
cc: Mr. W. Carl Richards, Jr.  
Mr. Joseph L. Cardinale  
Mr. Samuel B. Shockley  
J. Norris Byrnes, Esquire  
Priscilla C. Caskey, Esquire

RECEIVED  
DEC 5 1988  
ZONING OFFICE

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202  
TELEPHONE 301-547-4736

WRITER'S DIRECT NUMBER IS  
832-2050

300 LAFAYETTE BUILDING  
40 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
301 825-5512  
FAX: 301 296-2885

SUITE 400  
800 17TH STREET, N.W.  
WASHINGTON, D.C. 20004  
TELEPHONE 202-451-0006

December 21, 1988

J. Robert Haines, Esquire  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County  
County Office Building  
Towson, Maryland 21204

Re: Petition for Zoning Variance  
Petitioner: Joseph L. Cardinale  
3717 Crondall Lane  
Item No. 109  
Case No. 89-200-A

Dear Mr. Haines:

As you may recall from previous correspondence, this Petition has been deferred pending the adoption of the 1988 comprehensive zoning maps. On December 5, 1988, the new maps took effect.

According to the new zoning maps, Mr. Cardinale's property is no longer adjacent to a residential zone. Instead, his property is surrounded by ML-IM zoned land.

As Mr. Cardinale's property is now in compliance with the existing zoning regulations, the Petition for Variance has been rendered moot. Accordingly, the Petitioner respectfully withdraws the above-referenced Petition for Zoning Variance.

If there are any outstanding costs, please forward the invoices to my office for payment. It is my understanding that since Mr. Cardinale's property is now in compliance with the zoning regulations, that he should be able to obtain Zoning Office approval of properly filed building permits.

RECEIVED  
DEC 23 1988  
ZONING OFFICE



J. Robert Haines, Esquire  
December 21, 1988  
Page 2

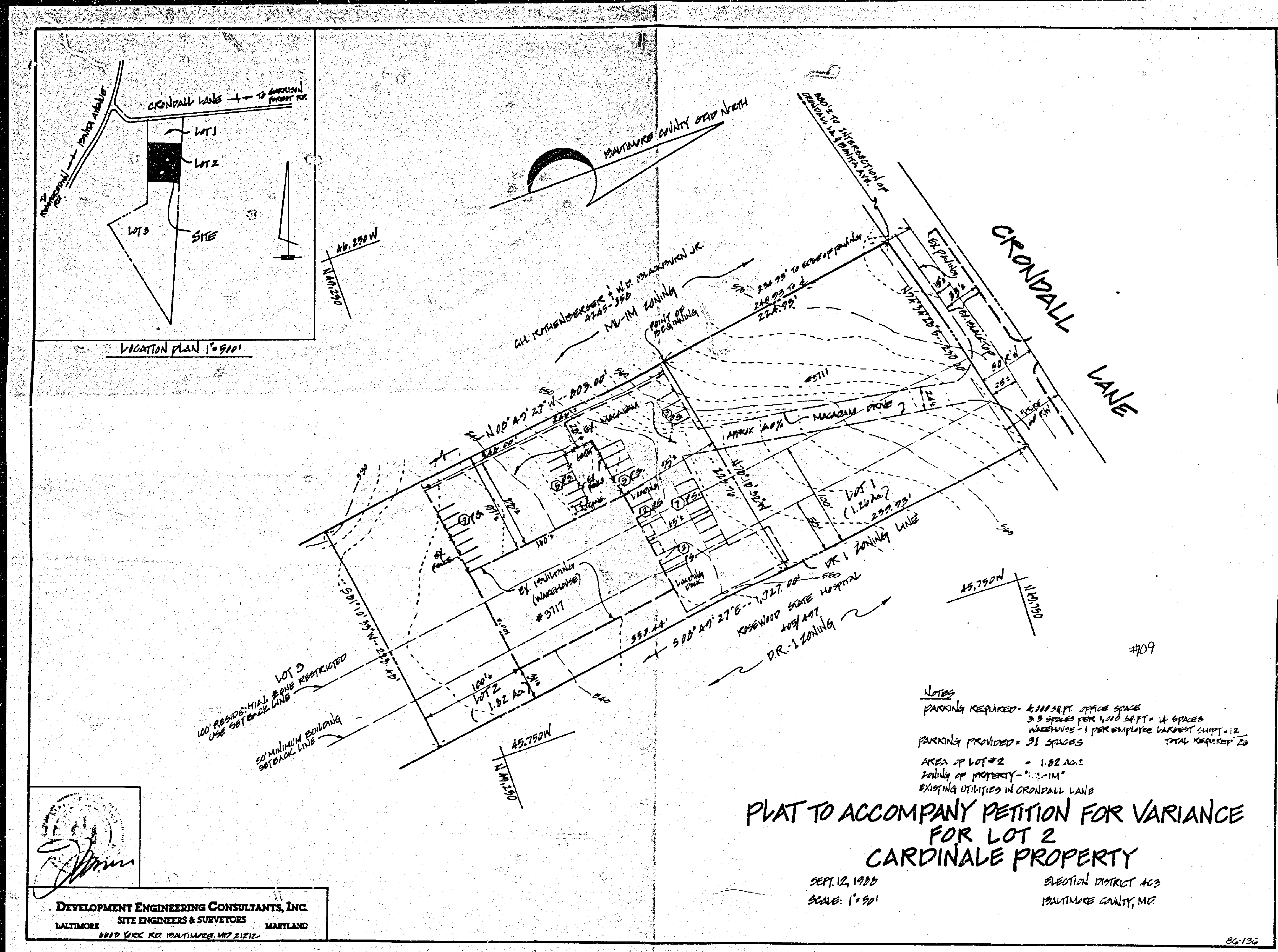
Should you have any questions regarding this matter, please feel free to contact me. On behalf of my client, and this office, I wish to express our appreciation for your flexibility and patience in handling this matter. Have a happy holiday!

Sincerely,



G. Scott Barhight

GSB:sb  
Enclosure  
cc: Mr. W. Carl Richards, Jr. (w/encl.)  
Mr. Joseph L. Cardinale  
Mr. Samuel B. Shockley  
J. Norris Byrnes, Esquire  
Priscilla C. Caskey, Esquire



CARLE MITCHELLING  
 216 OVERTON AVE.  
 BELT. MD. 21236  
 GG 5-1683

RE: VARIANCE  
 ITEM 65, 89-200A,

MRS. ANN NASTRACWICZ  
 DEPUTY ZONING COMMISSIONER  
 COUNTY OFFICE BLDG.  
 TOWSON MD. 21204

I'M SORRY I HAD TO CALL YOUR OFFICE ON SUCH A SHORT NOTICE  
NOV-28, 1989, REQUESTING A POSTPONENT ON MY ZONING MEETING-  
DUE TO MY WIFE'S UNEXPECTED SEVERE EMPHYSEMA ATTACK,  
WHICH MIGHT HER GETTING TO THE DOCTORS OR HOSPITAL, FOR  
TREATMENT. IT OCCURRED AT THE TIME I WAS LEAVING FOR TOLSON-  
OFFICE BLDG-  
I CALLED YOUR OFFICE AS SOON AS POSSIBLE -  
I HOPE THIS MEETS YOUR APPROVAL FOR THE POSTPOMING.

THANK YOU.

Carlisle Mitcherling

DEC 7 1960  
TO: THE OFFICE

86-13